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Attorneys for Defendant

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

ASUSTEK COMPUTER INC. and ASUS  
COMPUTER INTERNATIONAL,  
  
Plaintiffs,  
  
vs.  
  
RICOH COMPANY, LTD.,  
  
Defendant.

No. C 07-01942-MHP

**RICOH'S AMENDED NOTICE OF MOTION  
TO DISMISS FOR INSUFFICIENT SERVICE,  
TO STAY PENDING APPEAL, TO  
TRANSFER UNDER § 1404(a), TO DECLINE  
TO ENTERTAIN DECLARATORY  
JUDGMENT JURISDICTION, AND TO  
DISMISS FOR LACK OF PERSONAL  
JURISDICTION**

Hearing: TBA  
Time: 10:00 a.m.  
Dept.: Courtroom 15  
Judge: Honorable Marilyn Hall Patel

**AMENDED NOTICE OF MOTION**

PLEASE TAKE NOTICE that on a date to be determined at the Initial Case Management Conference before the Honorable Marilyn Hall Patel, U.S. District Judge, in Courtroom 15 of the above-captioned Court, located at 450 Golden Gate Avenue, San Francisco, California, defendant Ricoh Company, Ltd. ("Rico") will and hereby does move (1) to dismiss the complaint for insufficiency of service; (2) to stay this action until the Federal Circuit has decided an appeal of the dismissal on jurisdictional grounds of Rico's substantially identical patent infringement case against AsusTek Computer Inc. and ASUS Computer International (collectively, "ASUS") in the Western District of Wisconsin; (3) to transfer this action to the Western District of Wisconsin, where substantial discovery of the same issues has already taken place; (4) to exercise this Court's discretion to dismiss this declaratory-judgment action to avoid duplication of judicial effort; and/or (5) to dismiss the complaint for lack of personal jurisdiction. This motion is based on this amended notice of motion, the previously filed memorandum of points and authorities with accompanying Nagashima Declaration and Katsuyama Declaration (all under Docket No. 12), the argument of counsel, and the Court's files in this matter, and such additional evidence and argument as may hereinafter be presented.

1 Dated: July 24, 2007

Respectfully submitted,

3 /s/ Donald P. Gagliardi

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